

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SAMUEL GAINES, JR.

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,
EQUIFAX INFORMATION SERVICES
LLC, and TRANS UNION LLC

Defendants.

Case No. 1:18-cv-05349

Honorable Charles R. Norgle, Sr.

Honorable M. David Weisman
Magistrate Judge

INITIAL STATUS REPORT

Pursuant to Fed. R. Civ. P. 26(f), the parties submit the following initial status report.

1. Nature of the Case

a. Identify the attorneys of record for each party, including the lead trial attorney.

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Counsel for Trans Union LLC

b. State the basis for federal jurisdiction.

Subject matter jurisdiction exists over claims under the Fair Credit Reporting Act (the “FCRA”) under 28 U.S.C. §§ 1331 and 1337 and 15 U.S.C. § 1681p.

c. Describe the nature of the claims asserted in the complaint and any counterclaims.

Plaintiff: Plaintiff asserts negligent and/or willful violation(s) of the FCRA, 15 U.S.C. § 1681 *et seq.*

Equifax Information Services LLC (“Equifax”): Equifax is a consumer reporting agency as that term is defined by the FCRA. Equifax denies Plaintiff’s claims and denies that it violated the FCRA. Equifax maintained reasonable procedures to assure maximum possible accuracy in its credit reports concerning Plaintiff and conducted a reinvestigation of Plaintiff’s dispute in compliance with the FCRA. Equifax denies that it caused any damage to Plaintiff and denies that Plaintiff is entitled to any of the relief sought in the Complaint. Equifax further denies that Plaintiff can support a claim for punitive damages in this action.

Trans Union LLC (“Trans Union”): Trans Union is a consumer reporting agency, as that term is defined by the FCRA, and states that at all times relevant, Trans Union maintained reasonable procedures to assure maximum possible accuracy of the information concerning Plaintiff and Trans Union complied with the requirements of the FCRA with respect to Plaintiff. Trans Union furthermore

properly initiated and conducted any required reinvestigation(s) pursuant to the FCRA. As such, any damages Plaintiff may have sustained were not caused by Trans Union.

d. State the major legal and factual issues anticipated in the case.

(1) Whether JPMorgan Chase Bank, N.A. accurately furnished account information to Equifax Information Services, LLC and TransUnion LLC? (2) Whether Equifax Information Services, LLC and TransUnion LLC maintained and followed reasonable procedures designed to ensure maximum possible accuracy in accordance with 15 U.S.C. § 1692e(b)? (3) Whether Equifax Information Services, LLC and TransUnion LLC conducted a reasonable investigation in response to Plaintiff's dispute pertaining to inaccurate credit reporting? (4) Whether Plaintiff's damages, if any, were proximately caused by Equifax's alleged violations of obligations under the FCRA? (5) Whether Plaintiff suffered any damages as a result of Equifax's alleged conduct?

e. Describe the relief sought by the plaintiff(s).

Plaintiff seeks any actual damages sustained by Plaintiff as result of Defendants' alleged failure(s), such amount of punitive damages as the court may allow; and the costs of the action together with reasonable attorney's fees as determined by the court.

2. Pending Motions and Case Plan

a. Identify all pending motions.

None.

b. Indicate any previously set deadlines.

None.

3. Proposed Discovery Schedule

a. The general type of discovery needed.

Oral and written discovery needed.

b. A date to issue the first set of written discovery requests.

November 8, 2018.

c. A fact discovery completion date.

February 18, 2019.

d. If there will be expert discovery, an expert discovery completion date, including dates for the delivery of expert reports (or summaries for non-retained expert testimony).

The parties do not believe there will be expert discovery.

e. A date for the filing of dispositive motions.

April 4, 2019.

4. Trial

a. Indicate whether a jury trial is requested.

A jury trial is requested by Plaintiff.

b. The probable length of trial.

The probable length of trial is no more than four (4) days.

5. Status of Settlement Discussions

a. Indicate the status of any settlement discussions.

Equifax requested a demand on September 14, 2018.

b. Whether the parties request a settlement conference.

The parties do not request a settlement conference at this time.

6. Consent to Proceed Before a Magistrate Judge

a. Whether the parties consent unanimously to proceed before a Magistrate Judge for all purposes, including entry of final judgment.

The parties do not consent unanimously to proceed before a Magistrate Judge for all purposes, including entry of final judgment.

October 18, 2018

Respectfully submitted,

/s/ Joseph S. Davidson

/s/ Sandra Davis Jansen (with consent)

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